



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Application No.: 10/069,755 dated January 28, 2002

I.A. No.: PCT/JP00/05922 I.A. Date: August 31, 2000

For: SOFT CAPSULE

Confirmation No.:

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a [XX] PRELIMINARY AMENDMENT in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[XX] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 9	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

## SMALL ENTITY

RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 135	\$
ADDITIONAL FEE TOTAL	

OR

## OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 270	\$
TOTAL	

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- [ ] First - \$ 55.00  
[ ] Second - \$ 200.00  
[ ] Third - \$ 460.00  
[ ] Fourth - \$ 720.00

## Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- [ ] First - \$ 110.00  
[ ] Second - \$ 400.00  
[ ] Third - \$ 920.00  
[ ] Fourth - \$ 1440.00

## Month After Time Period Set

[ ] Less fees (\$ ) already paid for \_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ \_\_\_\_\_.

[ ] A check in the amount of \$ \_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: IIDA=20

In re Application of:	)	Art Unit:
	)	
Yoshimitsu IIDA et al	)	Examiner:
	)	
Appln. No.: 10/069,755	)	Washington, D.C.
Date Filed: February 28, 2002	)	
	)	
I.A. No: PCT/JP00/05922	)	Confirmation No.
I.A. Date: August 31, 2000	)	
	)	
For: SOFT CAPSULE	)	March 25, 2002

**PRELIMINARY AMENDMENT**

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to any examination of the present application,  
please amend as follows:

**IN THE CLAIMS**

Attached hereto is a marked-up version of the  
changes made to the claims by the current amendment. The  
attached version is captioned "Version with Markings to Show  
Changes Made".

Amend the claims as follows:

4. (Amended) The soft capsule formulation of claim  
A1 1 wherein said oily solution comprises at least one base  
material selected from the group consisting of fatty acid